

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF LOUISIANA**

<b>UNITED STATES OF AMERICA</b>	*	<b>CRIMINAL DOCKET NO. 2:09-CR-092</b>
<b>v.</b>	*	<b>SECTION: "S"(3)</b>
<b>IVY WALKER</b>	*	<b>VIOLATION: 18 U.S.C. § 641</b>

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**FACTUAL BASIS**

Should this matter have gone to trial, the Government would have proved beyond a reasonable doubt, through the introduction of competent testimony and admissible, tangible exhibits, the following facts to support the allegations charged by the Bill of Information now pending against the defendant, **IVY WALKER ("WALKER")**.

The defendant, **WALKER**, has agreed to plead guilty to the one-count bill of information currently pending against her, charging her with one count of theft of government funds, in violation of Title 18, United States Code, Section 641.

An official from the Social Security Administration ("SSA") would testify that the SSA is an agency of the government of the United States of America. Further, an employee of the SSA would testify that the Social Security Act was enacted to provide for the general welfare by establishing a system of federal benefits, including federal funds provided to eligible applicants pursuant to different provisions of the Act. Title XVI of the Social Security Act specifies who is eligible to receive Supplemental Security Income benefits ("SSI benefits" or "Supplemental Security

Income benefits”). The SSA official would testify that, in general, SSI benefits are paid to applicants who are citizens and residents of the United States, who are age 65 or older, and meet the income and resource eligibility requirements. An individual or couple with income or resources in excess of the statutory limit is not eligible for SSI benefits.

An official from the SSA would testify that on or about October 28, 2004, **WALKER** applied for Supplemental Security Income benefits on behalf of herself and her husband. This official would further testify that beginning in or around October 2004 through in or around August 2008, **WALKER** and her husband received Supplemental Security Income benefits in monthly amounts, totaling \$21,644.00.

A special agent from the Social Security Administration, Office of Inspector General (“SSA-OIG”), would testify that, in mid-2008, the SSA-OIG was alerted by an SSA claims examiner to possible fraud in connection with the Supplemental Security Income benefits paid to **WALKER** and her husband. A review of **WALKER**’s file, as well as real estate records obtained from the Jefferson Parish Assessor’s Office, revealed that, prior to 1994 and continuing through the present, **WALKER** owned or had an ownership interest in numerous properties throughout the New Orleans, Louisiana metropolitan area. Documents reflecting **WALKER**’s ownership of these real estate properties would also be introduced into evidence. The SSA was never alerted to **WALKER**’s ownership interest in these properties because **WALKER** did not disclose it in her October 28, 2004 SSA application, despite the application inquiring whether the applicant owned any real estate properties, or any subsequent correspondence with the SSA. Had **WALKER** disclosed her ownership interest in these properties, she and her husband would not have qualified for

Supplemental Security Income benefits because her resources would have been in excess of the statutory limit for Title XVI benefits.

Records from the SSA would be introduced into evidence which would show that the payments issued after **WALKER**'s October 28, 2004 fraudulent SSA application, from on or about October 2004 through on or about August 2008, consisted of monthly benefit payments paid by checks in varying amounts. A special agent from SSA-OIG would testify that, after reviewing **WALKER**'s file, the entirety of the \$21,644.00 was wrongfully obtained and overpaid. Thus, the SSA-OIG special agent would testify that the loss to the government which is directly attributable to the wrongful conduct of **WALKER** totals \$21,644.00.

A special agent from SSA-OIG, and a witness, would testify that **WALKER** was interviewed on August 28, 2008. The special agent from SSA-OIG would testify that, after being read her *Miranda* rights, **WALKER** agreed to give a voluntary and written statement. **WALKER** confessed that, prior to 1994 and continuing through the present, she and her husband owned numerous real estate properties located in New Orleans, Louisiana and conceded that she did not disclose these assets on her October 28, 2004 SSA application. **WALKER** also conceded that she and her husband received the monthly SSI benefits in varying amounts from October 2004 through August 2008. Knowing that the SSA funds were benefit payments she and her husband were not entitled to, and with intent to deprive the usage of these funds from the true owner, **WALKER** further admitted that she lied to the SSA in order to get Supplemental Security Income benefit payments to pay for her monthly expenses.

**WALKER**'s October 24, 2008 SSA application, as well as documents generated by the SSA and documents submitted by **WALKER** to the SSA where she failed to disclose her ownership interest in the real estate properties located in New Orleans, Louisiana, would be introduced into evidence through competent testimony to further demonstrate the facts as stated above.

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IVY WALKER  
Defendant